

LOWER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD MEETING
December 08, 2022, 8:30 A.M.

Notice of the meeting was published in accordance with Section 84-1411, Nebraska Statutes, in the Beatrice Daily Sun and the Wilber Republican. Notice was also sent to Radio Station KWBE, Crete News, and Fairbury Journal-News. In accordance with the Nebraska Open Meetings Act, the Open Meetings Act is posted on the north wall of the meeting room for public viewing.

The meeting was called to order by Chairperson Jason Pohlmann at 8:30 a.m.

Directors Present: Larry Barta, Ryan Birkett, Brent Katz, Steve Kelley, Bob Lorenz, Heidi McClintock, Duane Parde, Jason Pohlmann, Darrell Rains, Dean Roehr, Jason Sand, Rodney Skleba, Doug Stokebrand.

Staff Present: Scott Sobotka, Manager; Tyler Weishahn, Assistant Manager, Ryan Thomas, Resource Specialist; Adam Kimmerling, Administrative Assistant; Scott Theis, Operations Supervisor; Jerry Bucy, Special Projects Coordinator; Nick Schroeder, GIS/IT/Data Specialist.

Others Present: Chad Weichel, Subdistrict 2 Director-Elect; Ryan Bruns, Dana F. Cole., UNL Extension Agent, Nathan Mueller.

APPROVAL OF DECEMBER 8, 2022, CONSENT AGENDA

MOTION #1 was made by Steve Kelley, seconded by Ryan Birkett, to adopt the Consent Agenda for the November 10, 2022, board meeting, which includes: adoption of the agenda as submitted, approval of the November 10, 2022, meeting minutes, financial status report dated November 30, 2022, November 2022 revenues, and expenditures; Beatrice West and Wymore Rural Water financials. Motion Carried.

YEA: Barta, Birkett, Kelley, Lorenz, Parde, Pohlmann, Rains, Skleba, Stokebrand, Katz, McClintock, Sand. **NAY:** None. **ABSTAIN:** Roehr **NOT PRESENT:** None.

OPEN PUBLIC COMMENTS

None

FY 2022 AUDIT REPORT

Ryan Bruns reviewed the districts FY 2022 audit with the directors.

MOTION #2 was made by Larry Barta, seconded by Jason Sand, to approve the FY 2022 audit report. Motion Carried

YEA: Barta, Birkett, Katz, Kelley, Lorenz, McClintock, Parde, Pohlmann, Rains, Roehr, Sand, Skleba, Stokebrand. **NAY:** None **ABSTAIN:** None **NOT PRESENT:** None

AGENCY REPORTS

NRCS

A report was distributed to the directors.

FIVE RIVERS R C & D

Bob reported that their last meeting was on November 10th, and they continue to work on grant funding for household waste and electronics recycling.

EXTENSION OFFICE

Nathan Mueller presented a report to the directors. Nathan covers 13 counties currently. He spoke about producer outreach and summarized efforts between himself, Jerry, and Ryan to provide localized information to producers in the Turkey Creek Watershed.

NRC

Scott reminded the directors that Steve expressed interest in serving as the District representative on the Natural Resources Commission. The Lower Big Blue and Upper Big Blue NRDs have historically alternated members. The two boards will meet in January and caucus to elect a representative.

NARD

Steve reported that the next meeting will be held at the Legislative Conference.

FALL 2022 GROUNDWATER LEVEL READINGS

Nick reviewed the results of the fall static water level readings. Groundwater declines were seen through the District. Many wells showed levels at or below the last major drought in 2012. A total of 45 wells recorded their lowest levels since the District has been measuring them. Discussion was held on the quantity concerns illustrated by these levels.

WELL PERMITS, IRRIGATION AGREEMENTS

Tyler stated that 2 replacement well permits, 5 new well permits and 1 transfer were received this month. Tyler also stated that staff has been present for 8 test holes drilled in the District in the last month. Tyler estimated 11 total hours of staff time are spent per well permit application.

Replacement well permits were received for Ron Miller and Fred Koch. Both permits meet LBBNRD requirements and are recommended for approval.

MOTION #3 was made by Doug Stokebrand, seconded by Dean Roehr, to approve the replacement well permits. Motion Carried.

YEA: Barta, Birkett, Katz, Kelley, Lorenz, McClintock, Parde, Pohlmann, Rains, Roehr, Sand, Skleba, Stokebrand. **NAY:** None **ABSTAIN:** None **NOT PRESENT:** None

New well permits were received for George Henry and Carol Brantley, Darrell Bruns, Kim Thornburg, John Linder, and Shawn Schwaninger. All wells meet the current points requirement. Tyler noted that Shawn Schwaninger has contacted CSD regarding the best place to drill a test hole. AEM data is available near the area. CSD also plans to be onsite to elog the test hole.

Discussion on the well permits was held. It was noted that all of these well permits are in areas showing notable groundwater declines.

MOTION #4 was made by Steve Kelley to approve the new well permits as presented and enact an immediate 180-day stay on development of new wells. Motion failed for lack of a second.

Tyler presented a transfer permit for L&L Farms. Larry Gronewold wishes to transfer water from section 3-4-6 to section 10-4-6 to irrigate 126 acres. Current rules state that transfers may not exceed the number of acres currently irrigated. The permit does not meet current rules.

MOTION #5 was made by Doug Stokebrand, seconded by Brent Katz, to deny the transfer permit. Motion Carried.

YEA: Barta, Birkett, Katz, Kelley, Lorenz, McClintock, Parde, Pohlmann, Rains, Sand, Skleba, Stokebrand. **NAY:** None **ABSTAIN:** Roehr **NOT PRESENT:** None

MOTION #6 was made by Steve Kelley, seconded by Darrell Rains, to approve the new well permits as presented. Motion Carried.

YEA: Birkett, Kelley, Lorenz, Parde, Pohlmann, Rains, Roehr, Stokebrand. **NAY:** Barta, Katz, Sand, Skleba, McClintock **ABSTAIN:** None **NOT PRESENT:** None

MOTION #7 was made by Steve Kelley, seconded by Doug Stokebrand, that the Lower Big Blue NRD impose an immediate temporary stay for a period of up to 180 days on the construction of any new water well and on any increase in the number of acres historically irrigated as allowed under Nebraska Revised Statute 46-707(2). Motion carried.

YEA: Barta, Birkett, Katz, Kelley, Lorenz, McClintock, Parde, Rains, Roehr, Sand, Skleba, Stokebrand. **NAY:** Pohlmann **ABSTAIN:** None **NOT PRESENT:** None

WATER SUSTAINABILITY FUND GRANT AGREEMENTS

Scott stated that the Little Indian WFPO project has received Water Sustainability Funding in the amount of \$1,788,300. The AEM project received funding in the amount of \$216,000. The District will match 40% of these funds. These anticipated expenditures were included in this year's budget.

MOTION #8 was made by Doug Stokebrand, seconded by Larry Barta, to authorize the chairman to sign the Little Indian WFPO funding agreement on behalf of the District. Motion carried.

YEA: Barta, Birkett, Katz, Kelley, Lorenz, McClintock, Parde, Pohlmann, Rains, Roehr, Sand, Skleba, Stokebrand. **NAY:** None **ABSTAIN:** None **NOT PRESENT:** None

MOTION #9 was made by Doug Stokebrand, seconded by Duane Parde, to authorize the chairman to sign the AEM funding agreement on behalf of the District. Motion carried.

YEA: Barta, Birkett, Katz, Kelley, Lorenz, McClintock, Parde, Pohlmann, Rains, Roehr, Sand, Skleba, Stokebrand. **NAY:** None **ABSTAIN:** None **NOT PRESENT:** None

2023 NRCS WATERSHED ASSESSMENTS

Scott Theis reviewed proposed watershed assessments on Big Indian 11-B, Swan 20, and Swan 31. These assessments will be done at no cost to the District and will provide updated breach mapping on these structures.

MOTION #10 was made by Larry Barta, seconded by Rodney Skleba, to allow NRCS to complete the assessments. Motion Carried.

YEA: Barta, Birkett, Katz, Kelley, Lorenz, McClintock, Parde, Pohlmann, Rains, Roehr, Sand, Skleba, Stokebrand. **NAY:** None **ABSTAIN:** None **NOT PRESENT:** None

BUILDING COMMITTEE

Pictures of the committee tour at the Lower Elkhorn NRD in Norfolk were shown. Design ideas from the tour are being incorporated into the Lower Big Blue NRD plans. Management and representatives from the Building Committee will meet with Fakler Architects to further discuss designs ideas to be incorporated into the final design next week.

Pictures of the new roof on the current building were shown. Skyline Construction completed the work and will be doing the garage roof and siding soon.

NARD LEGISLATIVE CONFENCE

The Legislative conference will be held January 24-25th at Embassy Suites in Lincoln. The Directors should let Adam know if they plan to attend before January 4th.

COMMITTEE ASSIGNMENTS

Representatives will be elected at the January meeting. Anyone interested in a committee or office should contact Scott or the Chairman before the meeting. Per diem will be going to \$70 in January and their will be a new mileage rate.

URBAN CONSERVATION

Scott reviewed Jansen's two-year application. They completed more of their total project this year and have asked for additional funds. Next year's award for the remainder of the project would be reduced by the amount of additional funds awarded this year. The Village was approved for \$11,250 and have asked for 13,147.16, an increase of \$1,897.16.

MOTION #11 was made by Doug Stokebrand, seconded by Dean Roehr, to approve an additional \$1,897.16 in FY 23. Motion Carried.

YEA: Barta, Birkett, Katz, Lorenz, McClintock, Parde, Pohlmann, Rains, Roehr, Sand, Skleba, Stokebrand. **NAY:** None **ABSTAIN:** None **NOT PRESENT:** Kelley

NRD ACTIVITIES

Scott reviewed buffer strip payments made each November. The District has 136 contracts covering 836 acres totaling over \$135,000. The NRD is paid \$40 per contract for administration.

Scott presented a new liner option that may be tried on some of the structures where snaptite would be difficult. The liner is slid into the pipe and cured with ultraviolet light.

Scott stated the playground set has been ordered and should be delivered soon.

Scott stated Brown and Caldwell has requested an extension to complete the model.

Scott talked about the second installment of a four-part series on nitrates published by Flatwater Free Press.

NRD PERSONELL AND STAFF UPDATE

Scott stated that management continues to work on personnel policy updates. Scott also mentioned he and Tyler interviewed three candidates for the Administrative Assistant position.

MOTION #12 was made by Doug Stokebrand, seconded by Brent Katz, to enter into executive session for the purpose of discussing personnel matters. Motion Carried.

YEA: Barta, Birkett, Katz, Lorenz, McClintock, Parde, Pohlmann, Rains, Roehr, Sand, Skleba, Stokebrand. **NAY:** None **ABSTAIN:** None **NOT PRESENT:** Kelley

Jason Pohlmann stated that it was moved and seconded to enter into executive session at 10:43 A.M. for the purpose of discussing personnel matters.

The Board entered into Executive Session at 10:43 A.M.

The Board exited Executive Session at 10:59 A.M.

UPCOMING MEETINGS AND ACTIVITIES

- December 26th - Christmas Holiday - Office Closed
- January 2nd - New Year's Day Holiday - Office Closed
- January 6th - NRD Reorganization Board Meeting, 8:00 a.m.
- January 4th - 108th Legislative 90 Day Session Begins
- January 24th - NRD Managers Meeting - Lincoln
- January 24th - 25th - Legislative Conference - Lincoln

Being no further business, Chairperson Jason Pohlmann adjourned the meeting at 11:05 A.M.

Secretary, Jason Sand